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FILED

Attorney for Jennipher Hernandez

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JENNIPHER HERNANDEZ,

Defendant.

Case No.: 11-CR-00217 DLJ

**STIPULATION AND ORDER  
TO CONTINUE STATUS CONFERENCE  
AND EXCLUSION OF TIME UNDER THE  
SPEEDY TRIAL ACT [18 U.S.C. §3161]**

The parties by and through their counsel of record, hereby stipulate to the following: The parties have jointly agreed that the current status conference hearing date of Thursday, November 29, 2012 by continued to Thursday, January 10, 2013 at 9:00 a.m. The reason for this continuance is that Mr. Lyons needs additional time to conduct further investigation. For the factual reason above, the parties agree that the time between November 29, 2012 and January 10, 2013 shall be excludable from the Speedy Trial Act requirements of Title 18, United States Code, Sections 3161 (h)(7)(A) and 3161(h)(7)(B)(iv).

The parties agree that the time is excludable in that the ends of justice served by granting the continuance of the status conference to January 10, 2013 outweigh the best interests of the public and the defendant in a speedy trial. The parties agree that a continuance of the status conference to January 10, 2013 is necessary to ensure both effective case preparation and the availability of defense counsel, and denial of such a continuance would

unreasonably deny defendant effective case preparation and continuity of counsel pursuant to 18 U.S.C. §§3161(h)(7)(A) and 3161(h)(7)(B)(iv).

Date: November 20, 2012

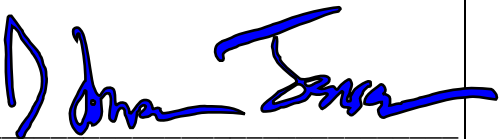
/s/Robert W. Lyons  
Robert W. Lyons  
Attorney for Jennipher Hernandez

Date: November 20, 2012

/s/Thomas M. OConnell  
Thomas M. OConnell  
Assistant United States Attorney

**IT IS SO ORDERED.**

Date: FFG

  
Honorable D. Lowell Jensen  
United States District Judge